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UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

CG ENTERPRISES HOLDINGS, LLC, a)
California limited liability company; and)
STEPHEN M. COON, an individual)

Plaintiffs,)
vs.)
WSP USA, INC., a New York corporation;)
WSP USA BUILDINGS, INC., a New)
York corporation; kW MISSION)
CRITICAL ENGINEERING, D.P.C., a)
New York design professional corporation;)
and DOES 1 through 20, inclusive,)

Defendants.)

Case No.: 3:24-CV-00292 CRB
Hon. Charles R. Breyer

**[PROPOSED] ORDER GRANTING
MOTION TO DISMISS PURSUANT TO
FEDERAL RULES OF CIVIL
PROCEDURE 12(B)(2), (3), AND (6) OR,
IN THE ALTERNATIVE, TO STAY THIS
ACTION PURSUANT TO 9 U.S.C. § 3, OR
TRANSFER PURSUANT TO 28 U.S.C. §
1404(a)**

[PROPOSED] ORDER

Currently before the Court is Defendants WSP USA, INC., WSP USA BUILDINGS, INC., and kW MISSION CRITICAL ENGINEERING, D.P.C. (“Defendants”) Motion to Dismiss Pursuant to Federal Rules of Civil Procedure 12(b)(2), (3), and (6) or, in the Alternative, to Stay this Action Pursuant to 9 U.S.C. § 3, or Transfer Pursuant to 28 U.S.C. § 1404(a) (“Motion”). Having considered the moving, opposition, and reply papers, all materials on file in this Action, the argument of counsel at the hearing (if any), and all other matters this Court deems appropriate and proper, and good cause appearing therefrom,

IT IS HEREBY ORDERED THAT,

Defendants’ Motion to Dismiss is GRANTED in its entirety, *with prejudice*;

or in the alternative

Defendants’ Motion to Stay is GRANTED. This Action is stayed in its entirety pending the Parties’ completion of arbitration with AAA;

or in the alternative

Defendants’ Motion to Transfer is GRANTED. The Clerk is directed to transfer this Action to the Southern District of New York and close the file in this Court.

IT IS SO ORDERED.

Dated: March __, 2024

Honorable Charles R. Breyer
UNITED STATES DISTRICT JUDGE